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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

DAVID PRATT, an individual, derivatively on
 behalf of 3G GREEN GARDEN GROUP, LLC
 D.B.A. EMERALD HARVEST, a California
 Limited Liability Company,

Plaintiff,

v.

ROBERT C. HIGGINS, an individual;
 SHARON E. HIGGINS, an individual;
 3G GREEN GARDEN GROUP, INC., a
 Canadian Corporation; and EMERALD
 HARVEST, INC., a Canadian Corporation,

Defendants,

-and-

3G GREEN GARDEN GROUP, LLC D.B.A.
 EMERALD HARVEST, a California Limited
 Liability Company,

Nominal Defendant.

Case No.: 4:22-CV-04228-HSG

**STIPULATED REQUEST FOR ORDER
 EXTENDING TIME FOR DEFENDANTS
 TO ANSWER OR OTHERWISE
 RESPOND TO AMENDED
 COMPLAINT; ORDER**

**Compl. Filed: June 15, 2022
 Am. Compl. Filed: August 24, 2022**

Case No. 4:22-cv-04228-HSG

**STIPULATED REQUEST FOR AN ORDER EXTENDING TIME FOR DEFENDANTS TO ANSWER OR
 OTHERWISE RESPOND TO AMENDED COMPLAINT**

1 Pursuant to Civil Local Rule 6-2, Defendants Robert C. Higgins, Sharon E. Higgins, 3G
2 Green Garden Group, Inc., Emerald Harvest, Inc., and 3G Green Garden Group, LLC (together,
3 “Defendants”), and Plaintiff David Pratt, by and through their respective counsel of record, hereby
4 submit this stipulated request:

5 **WHEREAS**, Plaintiff filed the Amended Complaint on August 24, 2022 [ECF #16];

6 **WHEREAS**, absent an extension of time, the deadline for Defendants to respond to
7 Plaintiff’s Amended Complaint is September 7, 2022;

8 **WHEREAS**, Defendants intend to respond to Plaintiff’s Amended Complaint by filing a
9 Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b);

10 **WHEREAS**, the parties conferred and have determined that good cause exists for an
11 extension of time to respond to the Amended Complaint, and that good cause exists for an
12 extension of time on the opposition to the Motion to Dismiss, in light of the complexity of the
13 Motion;

14 **WHEREAS**, on July 26, 2022, the parties stipulated to extend the time for Defendants to
15 respond to the Complaint [ECF #9] and no other time modifications have been requested in this
16 case either by stipulation or by Court order;

17 **WHEREAS**, this extension will not alter the date of any event or deadline already fixed by
18 Court order and will not have any effect on the schedule for the case;

19 **NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST** that
20 the deadline for Defendants to file their Motion to Dismiss the Amended Complaint be extended to
21 September 21, 2022, and the deadline for Plaintiff’s opposition to the Motion to Dismiss the
22 Amended Complaint be extended to October 19, 2022. The deadline for Defendants’ reply to the
23 Motion to Dismiss the Amended Complaint shall be October 26, 2022 in accordance with Local
24 Rule 7-3.

25 **IT IS SO STIPULATED AND REQUESTED.**
26
27
28

1 Dated: September 2, 2022

Respectfully submitted,

2 By: /s/ Matthew Borden

By: /s/ David C. Lee

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8 *Counsel for Defendants Robert C. Higgins,*
9 *Sharon E. Higgins, 3G Green Garden Group,*
10 *Inc., Emerald Harvest, Inc., and Nominal*
11 *Defendant 3G Green Garden Group, LLC*

Counsel for Plaintiff David Pratt

12 **ATTESTATION OF FILER**


13 Pursuant to Civil Local Rule 5-1(h)(3), the undersigned ECF user whose identification and
14 credentials are being used to file this document hereby attests that all signatories have concurred
15 and agreed to the filing of this document.

16 By: /s/ Matthew Borden
17 Matthew Borden

18
19 **ORDER**

20
21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22
23
24 Dated: 9/6/2022


Hon. Haywood S. Gilliam, Jr.
United States District Judge